

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

BLITZSAFE TEXAS, LLC,

Plaintiff,

v.

**FIAT CHRYSLER AUTOMOBILES N.V.,
FCA US LLC, MASERATI NORTH
AMERICA, INC.,**

Defendants.

§
§
§
§
§
§
§
§
§
§
§

**Case No. 2:19-cv-00378-JRG
(LEAD CASE)**

JURY TRIAL DEMANDED

JOINT MOTION TO DISMISS

Pursuant to the Federal Rules of Civil Procedure, Plaintiff Blitzsafe Texas LLC (“Blitzsafe”) and Defendants FCA US LLC and Maserati North America, Inc. (collectively, “FCA”), represented by their attorneys, hereby stipulate and agree to as follows:

The Complaint filed by Blitzsafe against FCA in the above-captioned case, including all claims and causes of action asserted by Plaintiff Blitzsafe against FCA, are dismissed with prejudice and without costs.

The foregoing dismissal of Blitzsafe’s claims against FCA is without prejudice to Blitzsafe’s right to file claims against any unlicensed suppliers who supply infotainment systems to FCA.

Each of the parties to this Joint Motion is to bear its own costs and fees, including attorney’s fees.

So agreed and stipulated.

A proposed order is attached as Exhibit A.

Respectfully submitted,

Dated: April 29, 2021

FABRICANT LLP

/s/ Alfred R. Fabricant
Alfred R. Fabricant
NY Bar No. 2219392
Email: afabricant@fabricantllp.com
Peter Lambrianakos
NY Bar No. 2894392
Email: plambrianakos@fabricantllp.com
Vincent J. Rubino, III
NY Bar No. 4557435
Email: vrubino@fabricantllp.com
Joseph M. Mercadante
NY Bar No. 4784930
Email: jmercadante@fabricantllp.com
Daniel J. Shea, Jr.
NY Bar No. 5430558
Email: dshea@fabricantllp.com
FABRICANT LLP
411 Theodore Fremd Avenue
Suite 206 South
Rye, NY 10580
Telephone: (212) 257-5797
Facsimile: (212) 257-5796

Samuel F. Baxter
Texas State Bar No. 01938000
sbaxter@mckoolsmith.com
Jennifer L. Truelove
Texas State Bar No. 24012906
jtruelove@mckoolsmith.com
MCKOOL SMITH, P.C.
104 E. Houston Street, Suite 300
Marshall, Texas 75670
Telephone: (903) 923-9000
Facsimile: (903) 923-9099

**ATTORNEYS FOR PLAINTIFF,
BLITZSAFE TEXAS, LLC**

/s/ Jonathan L. Falkler
Frank C. Cimino, Jr.
Megan S. Woodworth
Jonathan L. Falkler
VENABLE LLP
600 Massachusetts Ave, NW
Washington, D.C. 20001
Telephone: (202) 344-4569
Facsimile: (202) 344-8300
FCA-Blitz@venable.com

J Thad Heartfield
State Bar No. 09346800
Email: thad@heartfieldlawfirm.com
THE HEARTFIELD LAW FIRM
2195 Dowlen Road
Beaumont, TX 77706
Telephone: (415) 772-1200
Facsimile: (415) 772-2400

*Counsel for Defendants FCA US LLC and Maserati
North America, Inc.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 29, 2021, a true and correct copy of the above and foregoing document has been served on counsel of record via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Alfred R. Fabricant
Alfred R. Fabricant

CERTIFICATE OF CONFERENCE

Pursuant to Local Rule CV-7(h), on April 29, 2021, Alfred Fabricant, Peter Lambrianakos, Samuel Baxter, Frank Cimino, Jonathan Falkler and J Thad Heartfield conferred via email and are in agreement to the relief requested herein.

/s/ Alfred R. Fabricant
Alfred R. Fabricant